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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FOUR

In re K.B., a Person Coming
Under the Juvenile Court Law.

B290516
(Los Angeles County
Super. Ct. No. 18CCJP02245A)

LOS ANGELES COUNTY
DEPARTMENT OF CHILDREN
AND FAMILY SERVICES,

Plaintiff and Respondent,

v.

NATASHA G.,

Defendant and Appellant.

APPEAL from orders of the Superior Court for Los Angeles
County, Emma Castro, Judge. Dismissed.

Christine E. Johnson, under appointment by the Court of Appeal,
for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

Defendant Natasha G. (mother) appeals from jurisdiction and disposition orders of the juvenile court, sustaining a petition under Welfare and Institutions Code section 300, subdivisions (a) and (b), with regard to her son, K.B., and placing K.B. with his father, Jermaine B. (father). Mother's appointed counsel filed an opening brief under *In re Phoenix H.* (2009) 47 Cal.4th 835, stating that she found no arguable issues and asking this court to exercise its discretion to allow mother to file her own brief. (*See id.* at p. 845 [Court of Appeal is not required to allow an indigent parent to file a brief when appointed counsel has concluded there are no arguable issues, but it has discretion to permit the parent to do so].)

We notified mother that her counsel submitted a brief stating that she could not find any arguable issues. We informed mother that she "may submit by letter or brief any grounds of appeal contentions, or arguments [that she] wishes this court to consider." Mother submitted a 10-page letter in which she challenged the juvenile court's jurisdictional finding on the grounds that (1) the evidence she submitted (including testimony by witnesses she presented at the jurisdiction hearing) contradicted the evidence, relied upon by the court, submitted by father and the Department of Children and Family Services; (2) the juvenile court was wrong in finding that mother's testimony was not credible and that father's testimony was credible; and (3) the juvenile court misapplied the law in finding that mother's disciplining of K.B. by hitting him with a belt was child abuse.

Mother's first two issues directly ask this court to do something it cannot do, i.e., reweigh the evidence, resolve conflicts in the evidence,

and reject the juvenile court’s credibility determinations. (See, e.g., *T.W. v. Superior Court* (2012) 203 Cal.App.4th 30, 47 [appellate court must “defer to the juvenile court’s findings of fact and assessment of the credibility of witnesses”]; *In re Jordan R.* (2012) 205 Cal.App.4th 111, 135 [in reviewing jurisdiction findings, the appellate court “do[es] not reweigh the evidence, evaluate the credibility of witnesses or resolve evidentiary conflicts”].) Mother’s third issue also asks us, albeit indirectly, to reject the juvenile court’s credibility determinations. In essence, mother argues that the juvenile court incorrectly distinguished two cases mother cited in which appellate courts found that spanking or hitting a child on very rare occasions was insufficient to justify a finding of jurisdiction. Mother asserts those cases were not distinguishable from the present case because the instances of her hitting K.B. with a belt were rare. But the juvenile court expressly found, based upon K.B.’s testimony and other evidence (and its finding that mother was not credible), that those instances were *not* rare and therefore the cited cases did not apply. We are not at liberty to reweigh the evidence and come to a different conclusion.

Despite mother’s failure to raise arguments cognizable on appeal, out of an abundance of caution we have independently reviewed the juvenile court’s finding of jurisdiction and the relevant portions of the record, including the portions to which mother cited in her supplemental brief. Our review confirms mother’s counsel’s conclusion that no arguable issues exist. Accordingly, we dismiss the petition.

DISPOSITION

The appeal is dismissed.

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WILLHITE, J.

We concur:

MANELLA, P. J.

COLLINS, J.